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09/990,954	11/21/2001	Paul V. Morinville	IBIG1100-2	4408

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EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 12/27/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/990,954

Applicant(s)

MORINVILLE, PAUL V.

Examiner

Sam Rimell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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Preliminary Note: This office action includes new grounds of rejection which are not necessitated by amendment. Accordingly, this office action is made non-final.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 19 and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 19: Claim 19 refers to step (e) in claim 1, which no longer exists.

Claim 25: Claim 25 contains two steps marked as (e).

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Pinard et al. (U.S. Patent 6,075,851).

Claim 1: FIG. 2 illustrates an organizational chart which is stored in the centrally accessible database (19). As seen in FIG. 2, the organization chart identifies a first position (MARY) and second position (FRED). The second position (FRED) is immediately above the first position (MARY) because Fred is Mary's boss (col. 3, lines 42-53).

As described in col. 3, lines 35-63, if Fred attempts to call Mary and Mary has authorized calls from her boss, Mary's user agent (17) looks up Fred's phone number, and if it matches Mary's authorization of calls from her boss, a match is made and the call is placed to Mary. In this instance, Mary has selected the role "My Boss" for accepted calls and Mary's user agent (17) has made a determination that the selected role ("My Boss") is associated with the second position (FRED). At this point, the search for alternate roles stops and the call is completed when Fred is the caller.

On the other hand, if the caller is not Fred, the process is continued on positions below the second position (FRED), such as searching and locating Mary's secretary who is below Fred and completing the call to the secretary (col. 3, lines 60-64).

Claim 2: The selected business process is an inter-office calling. The selected role (the selection of "My Boss" by Mary) is associated with a function (verbal communication) in the business process. The person identified as being at the first position (MARY) initiates the process by first ordering the call screening service before receiving calls.

Claim 3: Mary performs the function of selecting the role (selecting "My Boss" as the authorized role). Mary identifies the role by entering it into the call screening system.

Claim 4: The central database (19) is described as having both the organization chart of FIG. 2, as well as phone number directory of FIG. 3. FIG. 3 illustrates a database having rows and columns and defining an approval matrix. Each entry (i.e. Bill, Ext. 1600) is in a single row and column. Each entry is associated with a potential condition, namely, the condition of being blocked from calls or allowed to call. The approval roles, such as "My Boss" are not illustrated in FIGS. 2-3, but must inherently exist since they are searched (col. 3, lines 47-54). Mary's agent

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(17) performs all the determining and identification steps, determining which conditions apply (only calls from "My Boss") and determining which parties are the boss (finding FRED--col. 3, lines 47-53). It then identifies Fred as an authorized party on the call and completes the call.

Claim 5: The nature of the trip points are not defined in the claims, so many different action can be interpreted as the trip points, including the step of determining that "My Boss" equates to "Fred". The trip point is thus the step of obtaining a match.

Claim 6-7: The main identified role in the system is the role "My Boss" identified by Mary. As seen in FIG. 2, this role is not unique, as Helen and Joe may be the boss to Fred and Bill may be the boss to everyone. This also means that multiple positions to assume that role.

Claim 8: Searching positions below the second position may be accomplished according to a defined pattern, as seen in FIG. 8. For example, if a request is made for Fred, who is at the second position, the database is set-up to divert the call to John, who is at a lower position than Fred in FIG. 2.

Claim 9: FIG.2 illustrates the hierarchical organizational structure. There is also a separate role structure (col. 3, lines 1-3). For example, in FIG. 2, Jane has the role of secretary at a specific hierarchical level. Based on the ability of the system to search and identify other roles, such as "My Boss" it appears that all of the elements in the hierarchy are associated with roles.

Claim 10-12: The hierarchy of FIG. 2 is a hierarchical "functional role" structure, since it defines it defines functional roles, such as "secretary". It is also a "superiority role" structure since the bosses are above the employees (Fred is Mary's boss). It is further viewable as a legal role structure since a boss typically has different legal obligations than other employees.

Claim 13: The "functional role" is a job function, such as secretary.

Claim 14: The “superiority role” is considered to be a title, such as “boss” or “manager”.

Claim 15: The “superiority role” inherently implies levels of grade, with the boss being at a higher grade than those not designated as boss.

Claim 16: Any role within an organization, such as “boss” or “secretary” define an “EEO classification”, as best as can be understood.

Claim 17: The role of “boss” as a superiority role defines a job classification, namely, that the designated individual exercises some degree of management or supervision.

Claim 18: Performing the step of matching selected roles (“My Boss”) to a specific person on the same system at a later time or on other systems constitutes performing a search for another role.

Claim 19-20: Steps (a)-(d) may be repeated on the same system at a later time, or on another system at the same or a different time. Step (e) no longer exists.

Claim 21: FIG. 2 illustrates a hierarchical structure of names in an organization. Each element provides a unique position. Col. 3, lines 1-3 state that an additional hierarchical structure of roles are provided. For example, the role of secretary is illustrated in FIG. 2 as one of the roles. The hierarchical structure of names is linked to the role/roles associated with that name.

A user such as Mary (col. 3, lines 35-65) associates access rights for incoming phone calls. In the particular example cited, Mary has granted access rights to her boss Fred who is granted direct calling privileges without having his calls diverted. Calls made within the organization are thus controlled by the access rights granted by each employee.

Claims 22-23: See remarks for claims 10-12.

Claim 24: See remarks for claim 4.

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Claim 25: See remarks for claim 1.

Remarks

Applicant's arguments and amendments have overcome the previous grounds of rejection under 35 USC 112 and the application of the Vora et al. reference. However, the reference to Pinard et al. remains applicable to the claims, for the reasons as cited herein.

This office action includes some new grounds of rejection which are not based directly on amendments to the claims, so the following action is made non-final instead of final.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.



Sam Rimell
Primary Examiner
Art Unit 2165